

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NORTH DAKOTA**

|                    |   |                             |
|--------------------|---|-----------------------------|
| In re:             | ) | Bky. Case No.: 23-30248     |
|                    | ) | Chapter 7                   |
| Gannett Peak, LLC, | ) |                             |
|                    | ) | <b>NOTICE OF MOTION AND</b> |
| Debtor.            | ) | <b>MOTION FOR TURNOVER</b>  |
| _____              | ) |                             |

Gene W. Doeling, the bankruptcy trustee in this case, respectfully requests that the Court issue an order, ordering the debtor to forthwith turnover to the bankruptcy trustee documentation previously requested by the trustee. This motion is made pursuant to 11 U.S.C. § 542 and Bankruptcy Rule 9014.

The debtor filed a Chapter 11 bankruptcy petition on July 29, 2023. The case was then converted to a Chapter 7 on December 20, 2023. The trustee has requested the following documentation be provided: statements for Choice Financial account 6000 from January 1, 2023 to December 20, 2023; page one of Form 1120-S of the 2021 federal tax return; and, 2022 tax returns including all supporting schedules. Despite repeated requests for these documents, the trustee has not received them at this time. Thus, the trustee requests turnover of the previously stated documentation.

THEREFORE, the bankruptcy trustee respectfully requests that the Court issue an order for the debtor to immediately turnover to the bankruptcy trustee statements for Choice Financial account 6000 from January 1, 2023 to December 20, 2023; page one of Form 1120-S of the 2021 federal tax return; and, 2022 tax returns including all supporting schedules.

**NOTICE OF MOTION:** Your rights may be affected in this action. You should read these papers carefully and discuss the matters with your attorney if you have one. Any objections to this motion must be made within 14 days of this date with an original filed with the Clerk of Bankruptcy Court and copies served upon the Bankruptcy Trustee and United States Trustee at the addresses stated below. Failure to timely respond to this motion will be deemed a waiver of any objections and the Court will grant such relief as it deems appropriate.

Clerk, U.S. Bankruptcy Court  
Quentin N. Burdick U.S. Courthouse  
655 First Ave. N. – Suite 210  
Fargo, ND 58107-4932

United States Trustee  
300 S. 4th Street  
Suite 1015  
Minneapolis, MN 55415

Trustee  
(See  
address  
below)

DATED: April 12, 2024

/s/ Gene W. Doeling  
Gene W. Doeling, Trustee  
PO Box 9231  
Fargo, ND 58106-9231  
(701) 232-8757

**VERIFICATION**

I, Gene W. Doeling, under the laws of the United States state that the foregoing is true and correct according to the best of my knowledge.

Dated this 12<sup>th</sup> day of April, 2024.

/s/ Gene W. Doeling  
Gene W. Doeling  
Bankruptcy Trustee

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| In re:             | ) | Bky. Case No.: 23-30248       |
|                    | ) | Chapter 7                     |
| Gannett Peak, LLC, | ) |                               |
|                    | ) | <b>CERTIFICATE OF SERVICE</b> |
| Debtor.            | ) |                               |
| _____              | ) |                               |

Gene W. Doeling of Fargo, ND, swears that on April 12, 2024, he mailed in first class postage-paid envelopes and deposited same in the post office at Fargo, ND, or served electronically at the given e-mail address a copy of the following:

**NOTICE OF MOTION AND MOTION FOR TURNOVER**

to the parties listed below:

Gannett Peak, LLC  
28 Center Avenue N  
Mayville, ND 58257

Maurice VerStandig, on behalf of the debtor, mac@dakotabankruptcy.com

U.S. Trustee, USTPRegion12.SX.ECF@usdoj.gov

/s/ Gene W. Doeling  
Gene W. Doeling